

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

2024 JUN 18 PM 4:02

TIMOTHY MICHAEL GABRIEL,

)

Plaintiff,

)

v.

)

VERMONT DEPARTMENT

)

OF CORRECTIONS, et al.,

)

Defendants.

)

BY LAW CLERK
DEPUTY CLERK

Case No. 2:24-cv-371-cr-kjd

ORDER OF DISMISSAL

A review of the docket in this case reveals the following:

1. On April 9, 2024, Plaintiff Timothy Michael Davis, a Vermont inmate representing himself, filed an application to proceed *in forma pauperis* ("IFP"). (Doc. 1.)
2. On April 19, 2024, Magistrate Judge Kevin J. Doyle denied without prejudice Plaintiff's IFP application because his Inmate Account Summary did not include financial information for the required six-month period and was not certified by an appropriate prison official. Plaintiff was ordered to either pay the \$405.00 filing fee or submit a renewed IFP application accompanied by an affidavit with certification of his financial information granted leave to refile the application within thirty days. Plaintiff was warned that failure comply with the Order may result in dismissal of the case without prejudice. (Doc. 3 at 1.)
3. No further filings have been received as of the date of this Order.

The Federal Rules of Civil Procedure authorize dismissal of an action when "the plaintiff fails to prosecute or to comply with these rules or a court order[.]" Fed. R. Civ. P. 41(b). Because Plaintiff has not paid the filing fee or refiled his IFP application, this case is hereby DISMISSED WITHOUT PREJUDICE.

SO ORDERED.

Dated at Burlington, in the District of Vermont, this 18th day of June, 2024.


Christina Reiss, District Judge
United States District Court